

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OHIO SECURITY INSURANCE
COMPANY, *et al.*,

Plaintiffs,

v.

BLACK LAKE QUARRY, LLC, *et al.*,

Defendants.

Case No. C20-6114RSL

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On November 11, 2020, plaintiffs filed this action in federal court alleging that the Court has jurisdiction based on the diversity of citizenship of the parties. *See* 28 U.S.C. § 1332(a) (establishing that the federal court’s basic diversity jurisdiction extends to “all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the parties opposed in interest.” *Kuntz v. Lamar Corp.*, 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether complete diversity is present, the citizenship of a limited liability company is determined by examining the citizenship of the owners/members. *See Johnson v.*

1 *Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (holding that “like a
2 partnership, an LLC is a citizen of every state of which its owners/members are citizens”).

3 Plaintiffs have not alleged the citizenship of each owner/member of defendants
4 Black Lake Quarry, LLC, or BLR LLC, and their conclusory allegation that the plaintiffs
5 are citizens of different states than all defendants is insufficient to meet its burden of
6 establishing the basis of the Court’s jurisdiction. *See Indus. Tectonics, Inc. v. Aero Alloy*,
7 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting jurisdiction has the burden of
8 proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3) (“If the Court determines at any
9 time that it lacks subject-matter jurisdiction, the court must dismiss the action”). As a
10 result, plaintiff is ORDERED TO SHOW CAUSE why the Court should not dismiss this
11 action pursuant to Fed. R. Civ. P. 12(b)(1) by providing the Court with the citizenship of
12 all of the owners/members of Black Lake Quarry, LLC, and BLR LLC at the time the
13 complaint was filed, by December 4, 2020. The Clerk of the Court is directed to place this
14 order to show cause on the Court’s calendar for that date.

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16 Dated this 18th day of November, 2020.

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18 Robert S. Lasnik
19 United States District Judge
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